

**Petronila Creek Chloride, Sulfate, and Total Dissolved Solids
Total Maximum Daily Load Implementation Plan Review
Stakeholder Meeting Summary
February 11, 2013
Robstown, TX**

Attendees

Sinoel Contreras	Office of Secretary of State
Joe A. Gonzales	Nueces County Commissioner – Precinct 2
Joe Guzman	Robstown Area Development Commission
Randy Harwell	Land owner
Mark John	US Ecology
Robert Schexnayder	Texas Railroad Commission
Lionel Lopez	South Texas Colonia Initiative
Craig D. Shook	Driscoll Foundation
Christine Smith	Land owner – Albrecht Farms
Jeff Stapper	Texas AgriLife Extension Service
Jace Tunnell	Coastal Bend Bays and Estuaries Program
Cynthia Willoughby	Land owner – Willoughby Farms
Kathy Willoughby	Land owner – Willoughby Farms

Support Team

Beth Almaraz	Nueces River Authority
Rocky Freund	Nueces River Authority
Sam Sugarek	Nueces River Authority
Lauren Young	Texas Commission on Environmental Quality

AGENDA

2013 Review of Implementation Plan for Three Total Maximum Daily Loads for Chloride, Sulfate, and Total Dissolved Solids in Petronila Creek Above Tidal Segment 2204

February 11, 2013

1:30 – 3:30pm

Johnny Calderon County Building

710 Main Street

Robstown, TX 78380

Meeting Agenda

1. Call to Order
2. Introductions
3. Overview of Original TMDL and I-Plan
4. Explanation of Project Review Strategy and Timeline
5. Stakeholder Participation
 - Identify Missing Participants
 - Confirm Membership
6. Next Meeting Date
7. Adjourn

Call to Order and Introductions

Rocky Freund, Nueces River Authority (NRA) Deputy Executive Director and Project Manager for the 2013 Review of Implementation Plan (I-Plan) for Three Total Maximum Daily Loads (TMDL) for Chloride, Sulfate, and Total Dissolved Solids (TDS) in Petronila Creek Above Tidal, began the meeting with introductions, asking the participants to introduce themselves and who they represented. Ms. Freund briefly commented on the purpose of the project and the geographic area of concern.

Overview of Original TMDL and I-Plan

Lauren Young, Project Manager with the Texas Commission on Environmental Quality (TCEQ) gave a general overview of TMDLs and I-Plans and why they had been developed for this portion of Petronila Creek. The creek was listed on the State's 303(d) as having impairments for high levels of chlorides, sulfates, and TDS. A TMDL was adopted by TCEQ in January 2007 and approved by the Environmental Protection Agency in March 2007. The Stakeholder generated I-Plan was approved by TCEQ in October 2007.

Explanation of Project Review Strategy and Timeline

Ms. Freund explained that the TCEQ requires I-Plan reviews every five years and that TCEQ contracted with NRA to conduct this review of the Petronila Creek I-Plan. A stakeholder is defined as anyone who has an interest in the project. The list of stakeholders invited to this meeting was based on the entities that were represented during the development of the TMDL and I-Plan and landowners adjacent to the creek based on the Nueces County tax rolls.

Ms. Freund explained that the goal for this project was to reconvene a coordination committee of representatives of specific stakeholder interests. Their job will be to approve any revisions to the I-Plan. Proposed revisions will be developed by subcommittees whose job it will be to review specific sections of the I-Plan. The proposed revisions will be presented to the coordination committee for consideration.

The process is expected to take about a year, with a tentative schedule of quarterly coordination committee meetings and up to eight subcommittee meetings.

Stakeholder Participation - Identify Missing Participants and Confirm Membership

Ms. Freund reviewed the list the previous coordination committee, noting that many of the individual representatives have changed and that some entities declined to participate in the current review.

Landowners: Cynthia Willoughby, Kathy Willoughby (Willoughby Farms), and Christine Smith (Albrecht Farms) agreed to serve on the coordination committee.

Agricultural interests: Jeff Stapper, Texas AgriLife Extension Service will serve.

John Freeman, Natural Resource Conservation Service, was invited to the meeting but did not attend. He will be contacted and asked to participate.

Texas State Soil and Water Conservation Board declined to participate since the impairment is not related to agricultural activities.

Railroad Commission of Texas (RRC): Robert Schexnayder agreed to serve.

Oil and gas (O&G) interests: Ken Kerrihard, Continental Resources, Inc., declined to participate explaining that the O&G entities participated in the development of the TMDL in order to explain the why and how of the high levels of chlorides, sulfates, and TDS. He will answer questions, if asked, and will remain on the mailing list for informational purposes. The question was raised about the need for O&G representation because of pipelines that cross the area. The pipelines are under the jurisdiction of the RRC.

Nueces County Drainage and Conservation District 2: Carlos Peña was invited but did not attend. He will be contacted and asked to participate.

Robstown Area Development Commission: Joe Guzman agreed to serve.

Texas Stream Team: Will be contacted for the water quality monitoring subcommittee.

South Texas Colonia Initiative: Lionel Lopez agreed to serve.

Nueces County: Commissioner Joe Gonzalez, Precinct 2, or designee, will serve.

State Senator: Senator Juan "Chuy" Hinojosa's office declined to participate in the current review.

State Representative Abel Herrera needs to be informed of this project and participation from his office will be requested.

Subcommittees

Ms. Freund presented possible subcommittee topics of water quality analysis, review of the RRC plugging program, and water quality monitoring needs, which lead to discussion of activities and concerns within the watershed.

Mr. Shook asked about the maintenance of the drainage channels. This is the responsibility of the Drainage District. Mr. Schexnayder explained that the RRC had recently completed a project removing the top two feet of soil in some of the ditches in order to reduce the amount of salts leaching into the creek. Mr. Shook explained that the salts had been preventing vegetation from growing and not impeding flood flow off the land. He is concerned that this activity will increase flood problems when it does rain. Ms. Freund explained that vegetation can act as a filter, removing pollutants before they reach the creek. No soil testing has been conducted since the topsoil was removed. It was noted that this could be an action item to include in the revised I-Plan.

Commissioner Gonzalez suggested that the county and drainage district partner with land owners to create retention ponds. It was noted that this could be an action item to include in the revised I-Plan.

Ms. Cynthia Willoughby asked about the saltwater disposal well at the bridge in Driscoll. Mr. Schexnayder explained that the well is no longer operational. There was concern that the area around it needs to be cleaned up since runoff contributes contaminants to the creek. It was noted that this could be an action item to include in the revised I-Plan.

There was discussion about the chloride, sulfate, and TDS source. It is believed that the impairment is primarily due to historic O&G activities that discharged their produced waters into the creek and its tributaries. This practice was legal until about 1987. It is possible, but not confirmed, that illegal discharges take place. NRA forwards any complaints concerning illegal discharges to the RRC and/or TCEQ for investigation. NRA did receive such information a couple of week prior, but the RRC was unable to access the private property to investigate.

There was discussion about water quality monitoring and analysis. Ms. Freund and Mr. Sugarek explained that three sites on the creek below Hwy 77 are sampled quarterly for a full suite of conventional parameters and in the intervening months sampled for chloride, sulfate, and TDS. A continuous monitoring station was installed at the FM 70 crossing. There was disappointment that analysis of the water data collected since the original TMDL and I-Plan was not available for review, and it felt that that data were needed prior to moving forward. Mr. Contreras agreed to serve on the water quality analysis subcommittee.

Ms. Freund explained that stakeholder input is vital to the process. Neither NRA nor TCEQ want to dictate what needs to be done. The primary intent of this first meeting was to be sure that all stakeholders are represented and not necessarily a technical review.

Ms. Freund will coordinate and develop some initial data analysis and make it available to the stakeholders.

Mr. Tunnell informed the group that Dr. Michael Wetz with Texas A&M University – Corpus Christi, has a submarine can be directed down the creek and take continuous samples to help identify hot spots. It was noted that this could be an action item to include in the revised I-Plan.

Next Meeting Date

Ms. Freund will schedule the next meeting after the preliminary data analysis has been completed and everyone has had a chance to review it.

Adjourn

The meeting concluded at ~2:30pm.